

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of KAURA	
U.S. Patent Application No. 09/825,258	Docket No.: 146323.00001
Filed: April 3, 2001	
For: COMPOSITION AND METHOD FOR TREATMENT OF RESPIRATORY DISEASE	

Box Patent Application  
Hon. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

Listed on the accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that an exhaustive search has been made, or that there does not exist information more material to the examination of the present patent application. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will review art of record in all 35 U.S.C. § 120 priority documents.

1. ☒ This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No certification or fee is required.
2. ☐ The Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.

6. ☐ A concise explanation of the relevance of the non-English language document(s) appears below:
7. ☐ The Examiner's attention is directed to co-pending U.S. Patent Application No. \_\_\_\_\_, filed \_\_\_\_\_, which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.
8. ☐ Copies of the documents were cited by or submitted to the Office in Application No. \_\_\_\_\_, filed \_\_\_\_\_, which is relied upon for an earlier filing date under 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

If Applicant has overlooked the payment of any fees with regard to the filing of this Information Disclosure Statement, the Commissioner is hereby authorized to charge Deposit Account No. 50-1682.

Respectfully submitted,



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Dated: November 13, 2001

TTM/yea  
Enclosures

<b>INFORMATION DISCLOSURE CITATION</b> <i>(Use several sheets if necessary)</i>				Docket Number (Optional) <b>146323.000</b>		Application Number <b>09/825,258</b>		
				Applicant(s) <b>Sita R. Kaura</b>				
				Filing Date <b>April 3, 2001</b>		Group Art Unit <b>1614</b>		
<b>U.S. PATENT DOCUMENTS</b>								
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	1	4,695,591	09/1987	Hanna et al.				
	2	5,795,909	08/1998	Shashoua et al.				
	3	5,840,334	11/1998	Raiden et al.				
	4	5,869,098	02/1999	Misra et al.				
	5	5,916,910	06/1999	Lai				
	6	5,919,776	07/1999	Hagmann et al.				
	7	5,952,347	09/1999	Arison et al.				
	8	5,980,882	11/1999	Eichman				
	9	5,980,941	11/1999	Raiden et al.				
	10	6,013,280	01/2000	Frisbee et al.				
	11	6,013,644	01/2000	Mills et al.				
<b>FOREIGN PATENT DOCUMENTS</b>								
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO
<b>OTHER DOCUMENTS</b> <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>								
		Theodore F. Reiss et al., "Montelukast, a Once-Daily Leukotriene Receptor Antagonist, in the Treatment of Chronic Asthma", Archives of Internal Medicine, Vol. 158, pp. 1213-1220, June 8, 1998						
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>				
<b>EXAMINER:</b> Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.								